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RCE

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/826,393
Filing Date	April 3, 2001
First Named Inventor	Bruno Florin
Group Art Unit	1651
Examiner Name	AFREMOVA, Vera
Attorney Docket Number	88265-4014

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time (3 months)

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501-814
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other : Any other fees that may be required
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name: **Rodney J. Fuller**  
For: **Allan A. Fanucci**

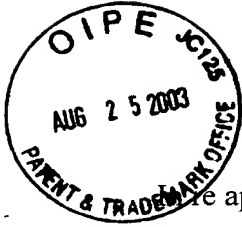
Registration No.: **46,714**  
Registration No.: **30,256**

Signature:

Date: **8/25/03**

08/26/2003 JBALINAN 00000121 501814 09826393

01 FC:1801 750.00 DA  
02 FC:1253 930.00 DA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Bruno FLORIN et al.

Confirmation No.: 5455

Application No.: 09/826,393

Group Art Unit: 1651

Filing Date: April 3, 2001

Examiner: AFREMOVA, Vera

For: PROCESS FOR THE CRYO-  
PRESERVATION OF PLANTS

Attorney Docket No.: 88265-4014

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PRELIMINARY AMENDMENT

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

In response to the final Office Action mailed on February 24, 2003, Applicants submit a Request for Continued Examination and request that the following amendments and comments be entered into the file of this application before examination thereof. Applicants submit concurrently herewith a petition for extension of time for three months to and including Monday, August 25, 2003.

No fees are believed due for the claim amendments made herein. Should any fees be required, however, please charge them to Winston & Strawn Deposit Account No. 501-814.

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks** being on page 5 of this paper.